

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

ERIC BLINMAN,

Plaintiff,

v.

1:23-cv-00431-KG-JMR

MICHELLE LUJAN GRISHAM,
individually and as Governor of the State
of New Mexico, STATE OF NEW MEXICO,
STATE OF NEW MEXICO OFFICE OF THE
GOVERNOR, NEW MEXICO DEPARTMENT
OF CULTURAL AFFAIRS, MICHELLE
GALLAGHER ROBERTS, individually and as
Deputy Secretary of the New Mexico State
Department of Cultural Affairs, KEN LUCERO,
individually and as Director of Human Resources
for the New Mexico State Department of Cultural
Affairs, STATE OF NEW MEXICO RISK
MANAGEMENT DIVISION, STATE OF NEW
MEXICO OFFICE OF ARCHEOLOGICAL
STUDIES, and YET-TO-BE IDENTIFIED
CO-CONSPIRATORS,

Defendants.


ORDER ON DISCOVERY MOTIONS

THIS MATTER comes before the Court on three motions:

- (1) Plaintiff's Motion to Compel the Deposition of Defendant Governor Michelle Lujan Grisham (Doc. 66) filed on January 17, 2025. Doc. 66. Defendants filed a response (Doc. 75) and plaintiff filed a reply (Doc. 82).
- (2) Defendant Governor Michelle Lujan Grisham's Motion for Protective Order (Doc. 76) filed February 14, 2025. Doc. 76. Plaintiff filed a response (Doc. 83) and defendant filed a reply (Doc. 87).
- (3) Plaintiff's Motion to Compel Defendants' Answers to Interrogatories and Production of Documents and for Sanctions, Including an Award for Attorney's Fees and Costs, filed on February 25, 2025. Doc. 81. Defendants filed a response (Doc. 86) and plaintiff filed a reply (Doc. 90).

The Court held a hearing on these motions on April 2, 2025. Doc. 99. Having reviewed the briefing, the relevant law and the facts, and for the reasons stated at the hearing, the Court orders as follows:

- I. Plaintiff's Motion to Compel the Deposition of Defendant Governor Michelle Lujan Grisham (Doc. 66) is DENIED AS MOOT.
- II. Defendant Governor Michelle Lujan Grisham's Motion for Protective Order (Doc. 76) is GRANTED. The Court declines to award attorney's fees in connection with this motion.
- III. Plaintiff's Motion to Compel Defendants' Answers to Interrogatories and Production of Documents and for Sanctions, Including an Award for Attorney's Fees and Costs (Doc. 81) is GRANTED IN PART and DENIED IN PART. Specifically, the Court rules as follows:
 - a. Defendants will provide plaintiff with a detailed description of how it performed its ESI search, no later than 4/7/2025.
 - b. For both RFP 2s, RFP 3, RFP 4(5), RFP 4(6), and RFP 5, the Court limits the timeframe to 1/1/2019 to 12/31/2023. The Court limits these RFPs to the following subjects: "Plaintiff's job performance, disciplinary actions, follow-up and ultimate termination." The Court orders plaintiff to provide defendants with key word search terms for each of these RFPs. The Court orders the parties to meet and confer, along with the defendants' IT representative, on or before 5/7/2025 to discuss key word search terms and search parameters. The Court orders defendants to provide supplemental responses no later than 5/28/25.
 - c. For RFP 7 and RFP 8 to the State of NM and NMDCA, Interrogatory 3 to Defendant Gallagher Roberts, and Interrogatory 3 to Defendant Garcia y Griego, the Court orders defendants to produce documents by 4/16/2025.
 - d. The Court declines to award attorney's fees or sanctions.
 - e. Any requests for relief in plaintiff's motion to compel not expressly discussed in this order are DENIED.


JENNIFER M. ROZZONI
United States Magistrate Judge